

What Every Supervisor Should Know

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Safety and Occupational Health
Manager

Purpose

Provide an overview of safety and occupational health as it applies to the Forest Service.

Agenda

- Occupational Safety and Health Act (OSHAct)
- Occupational Safety and Health Administration (OSHA)
- Executive Order 12196
- 29 CFR 1960 – Elements for Federal Employee Occupational Safety and Health Programs
- Forest Service Manual and Handbooks
- Master Agreement - FS and NFFE (Article 27)

Agenda

- Inspections by OSHA
- Embedded Risk Management Program
- Office of Workers' Compensation Program (OWCP)
- Safety and Health Information Portal System (SHIPS)

Agenda

- Violence in the Workplace
- Employee Assistance Program
- Hearing Conservation
- Wellness
- Credibility Through Accountability

Occupational Safety and Health Act

The Act

Origin of OSHA Standards

- Consensus standards
- Proprietary standards
- Pre-existing Federal laws/statutes
 - Public Contracts Act
 - Service Contract Act
 - Contract Work Hours and Safety Standards Act
- Horizontal standards
- Vertical standards

New Standards

- OSHA initiated
- Petitioned by other parties
 - National Institute of Occupational Safety and Health (NIOSH)
 - State and local governments
 - Nationally recognized standards producing organizations
 - Employer or labor representatives
 - Other interested persons

New Standards

- Standards adoption (Federal Register)
 - Emergency temporary standards
 - Appealing a standard
 - Variances
 - Temporary variance
 - Permanent variance
 - Interim order
 - Experimental variance
 - Public petitions

OSHAct Coverage

The General Duty Clause

Section 5

The General Duty Clause

(a) Each employer -

- (1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;
- (2) shall comply with occupational safety and health standards promulgated under this Act.

The General Duty Clause

(b) Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Act which are applicable to his own actions and conduct.

Subtle Words

- Should
- Shall
- Will
- Must
- May
- Could
- Ought

Regulations

Standards - 29 CFR

Subparts

Subparts A - Z

Paragraph Numbering

System

29 CFR 1910.1200(f)(1)(i)

Title

**Par
t**

Section

**Code of Federal
Regulations**

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Appendices

Mandatory
Non-mandatory
Advisory

Occupational Safety and Health Administration

OSHA

Why We Comply

- Best practices
- Good business
 - Reduces worker injuries and illnesses
 - Reduces OWCP claims
 - Decreases time lost to injuries and illnesses
 - Increases productivity and morale
- Legally required
 - Criminal and civil penalties possible

Executive Order 12196

EO 12196

Elements for Federal Employee Occupational Safety and Health Programs

29 CFR 1960

29 CFR 1960

- Purpose and scope - 1960.1(a)
- Agency responsibilities - 1960.8
- Supervisory responsibilities - 1960.9
- Employee responsibilities and rights - 1960.10
- Compliance with OSHA standards - 1960.16
- Qualifications of safety and health inspectors and agency inspections - 1960.25

29 CFR 1960

- Employee reports of unsafe or unhealthy working conditions - 1960.28
- Abatement of unsafe or unhealthy working conditions - 1960.30
- Training - 1960.54/55/56/57/58/59

Forest Service Manual and Handbook

- Safety and Health Program
FSM 6700
- Health and Safety Code Handbook
FSH 6709.11
- Safety and Health Program
Handbook FSH 6709.12

Master Agreement - FS and NFFE (Article 27)

- General
- Workplace Security
- Safety and Health Inspections
- Local Safety and Health Programs
- Safety and Health Committees
- Health and Safety Policies
- Unsafe Working Conditions

Master Agreement - FS and NFFE (Article 27)

- Bloodborne Pathogens Program
- Occupational Health and Safety Training
- Law Enforcement
- Communications
- Accidents
- Union Safety Representative

Federal Employer Rights and Responsibilities Following an OSHA Inspection

After An Inspection

- Inspected
- IAW
 - Occupational Safety and Health Act of 1970
 - Executive Order 12196
 - 29 CFR 1960 - Elements for Federal Employee Occupational Safety and Health Programs
- OSHA-2H Form (OSHA Notice)

Types of Violations

- Willful
- Serious
- Repeat
- Other-Than-Serious

Forest Service Inspections

Posting Requirements

- Must post original or copy
- At or near place where each violation occurred
- Must remain posted for 3 working days or until hazard abated

Employer Options

- As an employer, you may:
 - Correct the condition
 - Request an Informal Conference

How To Comply

- Promptly notify the OSHA Area Director
- Letter of Corrective Action
 - Explain specific actions
 - Abatement questions – request Informal Conference
- Protect employees during abatement period
- Provide OSAP with period progress reports

Informal Conference

- May request to discuss the violation(s) and/or the abatement dates
- Other questions you may have
- Employee representatives
- Amended OSHA Notice

Petition for Modification of Abatement (PMA)

- Based on best information available at time of OSHA Notice
- Unable to meet abatement date
 - Petition for Modification of Abatement
 - Steps taken to date
 - Additional time needed and why
 - Interim steps take to safeguard employees
 - Certification that the petition has been posted
 - OSHA Area Director decision

Alternate Standards

- Agency heads may apply
- Provide OSHA with
 - Statement of why agency cannot comply
 - Explanation of how alternate method provides protection
 - Description of interim protective measures
 - Summary of written comments
- Employee encouraged to participate in process

Employee Courses of Action

- Employees/authorized representatives may object to abatement dates
- Employee objection does not suspend obligation to abate
- Employees have right to object to PMA

Follow up Inspection and Failure to Abate

- Follow up inspection verifies
 - Posting of OSHA Notice
 - Corrected violations
 - Adequate protection provided employees
 - New violations
- Failure to Abate Notice

Employer Discrimination

- Executive Order 12196
- Agency Responsibilities - 1960.46
- Whistleblower Protection Act of 1989
- No time limit to file a complaint with the Office of Special Counsel (OSC)

Embedded Risk Management Program

Risk management is the process whereby threats to the organizations' or individuals' operations are managed.

Terms

- Hazard
- Risk
- Probability
- Severity
- Estimating
- Exposure
- Risk Assessment
- Risk Decision
- Gambling
- Risk Control
- Risk Management
- Risk Management Integration

Hazard

Any actual or potential condition that can cause injury, illness, or death of personnel, damage to or loss of equipment, property or mission degradation.

or

Hazard

Any real or potential condition that can cause injury, illness, or death to personnel or damage to or loss of equipment or property, **or** mission degradation, or damage to the environment

Hazard

A condition or activity with potential to cause damage, loss, or mission degradation.

Risk

Chance of a hazard or bad consequences; the probability of exposure to chance of injury or loss from a hazard; risk level is expressed in terms of hazard probability and severity

or

Risk

Chance of adverse outcome or bad consequence; such as injury, illness, or loss. Risk level is expressed in terms of hazard probability and severity.

Types of Risks

- Operational
- Accident
- Residual
- Emergent

Operational Risk

Risk concerned with a hazard that exists because of other entities or the presence of others. It applies to all levels and across the spectrum of operations.

Accident Risk

- All risks including
 - Risks to the workforce
 - Risks posed to civilians by an operation/activity
 - Risks to the environment
 - Risks to equipment readiness

Residual Risk

The level of risk remaining
after controls have been
identified and selected for
hazards that may result in
loss of operational
effectiveness.

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or

Residual Risk

Risk remaining after controls
have been identified and
selected.

Emergent Risk

Those risks that have not yet occurred but are at an early stage of becoming known and/or coming into being and expected to grow greatly in significance.

Probability

The likelihood that an event will occur.

or

Probability

An assessment of the likelihood that, given exposure to a hazard, an accident will result.

Severity

The expected consequence of an event in terms of degree of injury, property damage, or other mission-impairing factors that could occur.

or

Severity

An assessment of the expected consequence, defined by degree of injury or occupational illness that could occur from exposure to the hazard. *or*

Severity

The expected consequence of an event in terms of degree of injury, property damage, or other mission-impairing factors.

Estimating

Follows from examining both probability and severity of hazardous events.

Exposure

The frequency and length of time personnel and/or equipment are subjected to a hazard.

or

Exposure

An expression of personnel exposure that considers the number of persons exposed and the frequency duration of the exposure.

Risk Assessment

Identification and assessment of hazards; an identified hazard is assessed to determine the risk of a hazardous incident due to the presence of the hazard. *or*

Risk Assessment

A structured process to identify and assess hazards.

An expression of potential harm, described in terms of hazard severity, accident probability, and exposure to the hazard

Risk Decision

The decision to accept or not accept the risk(s) associated with an action. Made by the supervisor or individual performing the action within the constraints of the law.

Gambling

Making risk decisions without reasonable or prudent assessment or management of the risks involved.

Risk Control

Devising and applying a means to control (manage) risk.

Methods of Risk Control

- Risk reduction through changes in system design and management
- Risk reduction through improved risk information management
- Risk neutralization through diversification of processes
- Risk neutralization through transfer and/or sharing
- Risk retention (accept risks as they exist)

Examples of Risk Control

- Job Hazard Analysis
- Training
- Housekeeping
- Inspections
- Tools and Equipment
- Policies, Procedures, Processes
- Supervision
- Tailgate Sessions
- Contract Management and Administration
- Performance Expectations
- Personal Protective Equipment

Risk Management

The process of identifying, assessing, and controlling risks arising from operational factors and making decisions that balance risk costs with mission benefits.

or

Risk Management

The principal structured risk reduction process to assist leaders in identifying and controlling safety and health hazards and making informed decisions.

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or

Risk Management

A tool that provides management a systematic process designed to identify and manage risks associated with any task or operation.

or

Risk Management

The process whereby threats to the organizations' or individuals' operations are managed.

Risk Management

- Risk management is not a safety program
- Safety is a by-product of an effective risk management program
- Risk management goes beyond considering pure risk alone
- Risk managers must look for threats
- Management must decide to accept and at what level

Risk Management

- Does not
 - Inhibit the leader's flexibility and initiative
 - Remove risk altogether, or support a zero defects mindset
 - Require a GO/NO-GO decision
 - Sanction or justify violating the law
 - Remove the necessity for standard drills, operations, techniques, and procedures

Risk Management

- Assists the leader in
 - Conserving lives and resources and avoiding unnecessary risk
 - Making an informed decision to implement a course of action
 - Identifying feasible and effective control measures where specific standards do not exist
 - Providing reasonable alternatives for mission accomplishment

Risk Management Integration

The embedding of risk management principles and practices into operations, culture, organizations, systems, and individual behavior.

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The Process

The Five Steps

1. Identify Hazards
2. Assess Hazards
3. Develop Controls and Make Risk Decisions
4. Implement Controls
5. Supervise and Evaluate

Riding a Bicycle

Step 1

Identify Hazards

Hazard vs. Consequence

- What is a hazard?
- What is a consequence?
- How do we differentiate?

Differentiating

- Consequences
- Pseudo Hazards
- Real Hazards
- Mitigation
- Tell a Story

Step 2

Assess Hazards

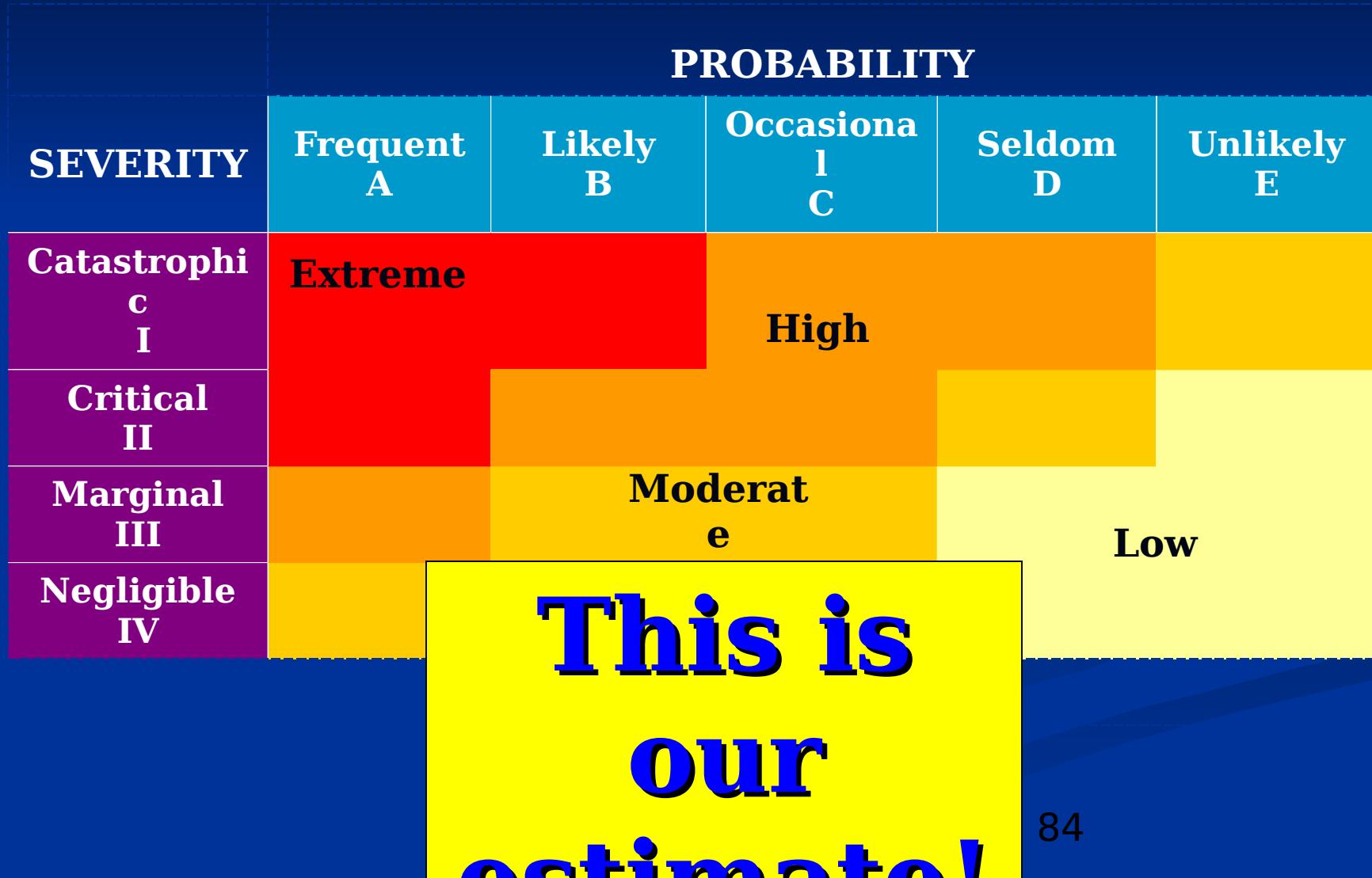
Assess Hazards

- Probability
 - Frequent
 - Likely
 - Occasional
 - Seldom
 - Unlikely

Assess Hazards

- Severity
 - Catastrophic
 - Critical
 - Marginal
 - Negligible

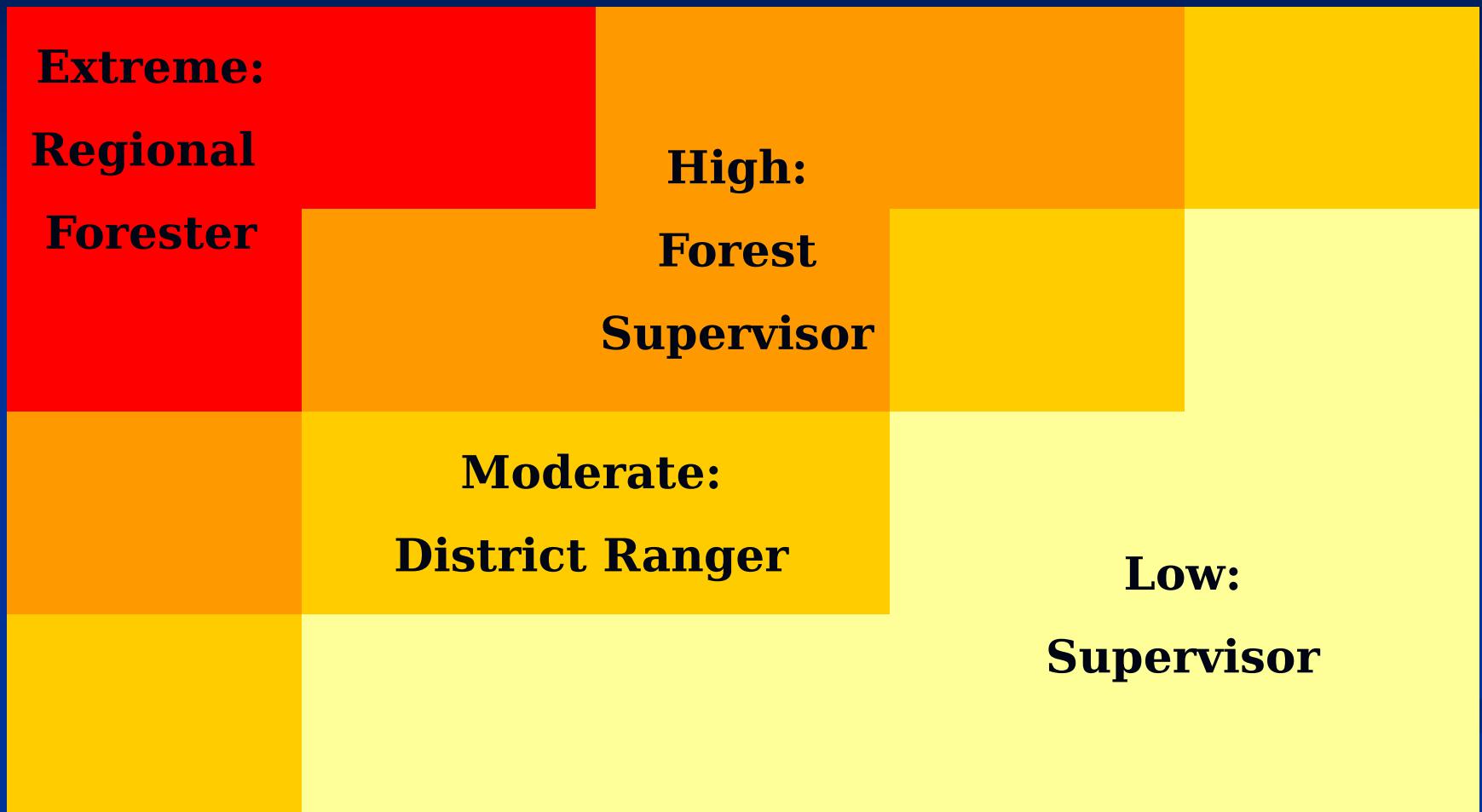
Risk Level



Step 3

Develop Controls and Make
Risk Decisions

Decision Level



Step 4

Implement Controls

Step 5

Supervise and Evaluate

The Process

- Steps 1 and 2 make up the assessment
- Steps 3 through 5 are the follow through

Principles

- Integrate into planning
- Accept no unnecessary risks
- Make risk decisions at the proper level
- Accept risk if benefits outweigh the cost

If it can't be done safely, it can't be done!

Risk Management

Purpose and Conclusion

Risk Management



Occupational Health -
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Office of Worker's Compensation Program (OWCP)

- Regional Objectives
- Federal Employee Compensation Act (FECA)
- Responsibilities
- Benefits
- SHIPS
- Safety, Health and Return to Employment (SHARE)

Regional Objectives

- Employee support
- Provide OWCP training to employees
- Assist getting employees back to work
- Timely filing of forms
- Coordination with DOL/OWCP
- Investigate fraudulent claims

Federal Employees' Compensation Act (FECA)

- Administered by the:
 - Department of Labor
 - Division of Federal Employees' Compensation
 - Office of Workers' Compensation Program
- Provides compensation benefits to employees injured on the job

FECA

- Medical treatment
- Wage loss compensation
- Vocation rehabilitation
- Schedule awards

FECA

- Primary benefits provided include:
 - Disfigurement compensation
 - Death benefits
 - Registered nurse intervention

FECA

- Continuation of pay (COP)
 - Available for traumatic injuries only
 - Purpose is to continue regular pay
 - Up to 45 calendar days of use
 - Select COP option on CA-1
 - Controverting COP

Claim Responsibilities

- Employees
- Supervisors
- OWCP Compensation Specialist
- Department of Labor

Employees' Responsibilities

- Obtain medical treatment
- Report incident to supervisor and complete appropriate forms as soon as possible
- Provide evidence that the incident is job related
- Provide medical evidence of injury/illness
- If off work due to incident, develop a check-in schedule with supervisor
- Utilize DOL/OWCP services
- Return to work as soon as medically able
- Adhere to regulations and law

Supervisors' Responsibilities

- Ensure injured employee gets medical treatment
- Fill out CA-16 within 4 hours of injury and give to the medical provider
- Complete the supervisors' portion of the claim form (CA-1/CA-2) via SHIPS
- Provide findings if there is disagreement with what the employee claims
- Mail completed and signed forms to Regional OWCP Specialist within 10 days of the incident

Supervisors' Responsibilities

- Communicate with the employee regularly and discuss benefits authorized under FECA
- Develop a check-in schedule with the employee and stay abreast of medical condition
- Make sure the employee understands that you want them back to work
- Develop light-duty and/or modified work within the employees' medical restrictions

Compensation Specialists' Responsibilities

- Provide training and assistance to employees
- Process claims to OWCP within 10 days of the incident
- Assist with the employee's return to work
- Manage all OWCP cases
- Refer and investigate suspected cases of fraud

OWCP Responsibilities

- Administer the FECA
- Make decisions on all matters relating to claims
- Authorize basic medical treatment and treatment requiring special authorization
- Pay bills for medical treatment and compensation for lost wages

OWCP Responsibilities

- Make sure employees receive proper medical care and return to work as soon as medically possible
- Provide vocation rehabilitation services
- Provide training to Federal agencies
- Provide death benefits

Registered Nurse Intervention

- Facilitates between employee, supervisor, agency, and physician
- More effective treatment regimen
- Active participation in treatment
- Return to work quicker
- Lower overall cost

Compensation Rates

- Payable at 75% if dependents are involved
- Payable at 66% with no dependents
- Payable at 50% upon reaching retirement age

Safety, Health and Return to Employment (SHARE)

- President's initiative to:
 - "...strive to do more to improve workplace safety and health and reduce the cost of injury to workers and taxpayers."
- Goals
 - Goal 1: Reduce total case rate by 3% per year
 - Goal 2: Reduce lost time case rate by 3% per year
 - Goal 3: Increase timely filing by at least 5% per year
 - Goal 4: Reduce lost production days by 1% per year

Safety and Health Information Portal System (SHIPS)

SHIPS

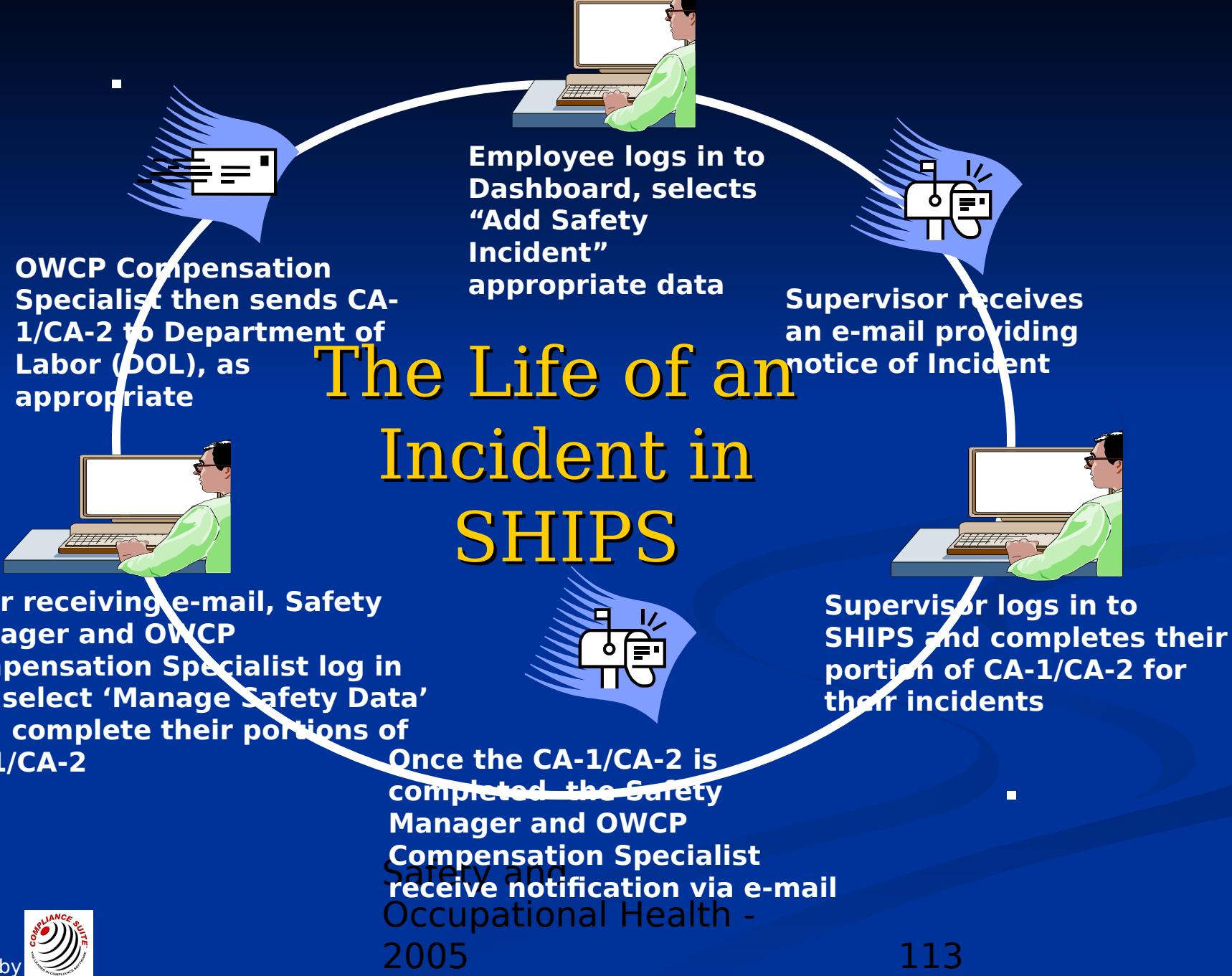
- An on-line database for recording and managing safety incident
 - Injuries
 - Illnesses
 - Near Misses
 - Vehicle Accidents

SHIPS

- Produces CA-1 and CA-2 forms
- Provides statistical data
- Provides OSHA and other reports
- Currently implemented across the Forest Service

SHIPS Access

- Accessed via Dashboard
- All Forest Service employees have access to “Add Safety Incident”
- Safety Managers, OWCP Specialist, and Fire Safety Managers have access to “Manage Safety Data”



Responsibilities

- Employees
- Immediate Supervisors
- OWCP Compensation Specialist
- Safety Managers

Employees' Responsibilities

- Log in to Dashboard
- Select “Add Safety Incident”
 - Enter Incident as soon as possible or have someone assist you
 - Print receipt for your records
- Automatically notifies (e-mail):
 - Immediate supervisor
 - Regional and Forest Safety Managers
 - OWCP Compensation Specialist
 - If fire related – Fire Safety Manager

Supervisors' Responsibilities

- Log in to Dashboard
- Select “Add Safety Incident”
- Select “Supervisor CA-1/CA-2”
- Review employee portion of form
- Complete page 2 of form
- Automatically notifies (e-mail):
 - Regional and Forest Safety Managers
 - OWCP Compensation Specialist
 - If fire related – Fire Safety Manager

Supervisors' Responsibilities

- Print form for signature by:
 - Employee
 - Supervisor
 - Witness
- Mail completed and signed forms to Regional OWCP Compensation Specialist within 10 days of the incident

Compensation Specialists' Responsibilities

- Review form for accuracy
- Fill in source, type, facility, and employee codes
- Determine OSHA recordability
 - Medical Visit
 - Loss of Consciousness
 - Lost Time
 - Restricted Work Duties
 - Fatality

Compensation Specialists' Responsibilities

- Send forms to Department of Labor (DOL)
- Start medical file
- Manage case
- Coordinate DOL services

Safety Managers' Responsibilities

- Investigate incident/accident
- Complete investigation report
- Send report to appropriate supervisor/manager

Tips for SHIPS

- Work uninterrupted or program may shut down resulting in lost work
- When finished with each page, review before proceeding to the next
- Expect to lose a page of data if you use the “Back” feature

Violence in the Workplace

- Introduction
- Awareness
- Workplace and Work Practices
- Incident Reporting
- Incident Response
- Workplace Violence Incident Report Form

Employee Assistance Program

- Guidance Resources
 - FEDSOURCE
- ComPsych - (888) 290-4327

Hearing Conservation

- Required by 29 CFR 1904.10 and 1910.95
- FSH 6709.12
- High risk employees
- Engineering controls
- Administrative controls
- Personal protective equipment (PPE)

Hearing Conservation

- Training
- Hearing test
- Monitoring
- Record keeping

Hearing Conservation

- Supervisors will ensure that noise-exposed personnel under their supervision:
 - Are provided hearing protection and audiometric evaluations
 - Attend annual health education briefing
 - Follow the recommendations
 - Properly wear hearing protection
 - Report for scheduled examinations
 - Are notified of noise exposure measurements
 - Retain issued hearing protection

Wellness

- Health and Wellness Program Guidelines
- DRAFT Wellness Contract
- Finance and Accounting, Appropriations and Funds - 6511.13h

Credibility Through Accountability

- Workshop
- Team members
- Elements
 - Safety
 - Occupational Health

Safety Questions?

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